

DEVELOPMENT CONDITIONS

SEA 97-L-065

August 4, 2016

The Board of Supervisors approved SEA 97-L-065, located at Tax Parcel 99-1 ((17)) 3 for use as a service station/quick-service food store pursuant to Sect. 4-604 of the Fairfax County Zoning Ordinance. The Board of Supervisors conditioned its approval by requiring conformance with the following development conditions:

1. This Special Exception is granted for and runs with the land indicated in this application and is not transferable to other land.
2. This Special Exception is granted only for the purpose(s), structure(s) and/or use(s) indicated on the special exception plat approved with the application, as qualified by these development conditions.
3. This Special Exception is subject to the provisions of Article 17, Site Plans, as may be determined by the Department of Public Works and Environmental Services (DPWES). Any plan submitted pursuant to this Special Exception shall be in conformance with the Special Exception Plat entitled Exxon Station 2-0390, both prepared by The Plan Source which is dated February 25, 1998 and the Landscaping Plan which is dated July 15, 1999 and these conditions.
4. A copy of this Special Exception and the Non-Residential Use Permit shall be posted in a conspicuous place on the property of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.
5. Notwithstanding any notations on the Special Exception Plat, SEA 97-L-065 hereby authorizes the service station/quick-service food store use, rather than the previous service station/mini-mart use.
6. On a weekly basis, the site shall be inspected and any loose trash shall be picked up and placed in dumpsters.
7. The applicant shall repair the existing fence and extend it along the rear of the property located on the eastern side of the subject property.
8. Regardless of that shown on the Special Exception Plat, in the event that the existing freestanding sign is altered or replaced, the sign shall not exceed a maximum sign area of 80 square feet, height of 20 feet, and shall in no instance project beyond any lot line or be within five feet of the curb line of a service drive,

travel lane or adjoining street. However, the sign area may be increased in size in accordance with Article 4 of Chapter 10 of the Code of Fairfax.

9. Within one year of the approval of this Special Exception Amendment application and prior to the receipt of a Non-RUP, the applicant shall complete the following as shown on the Special Exception Plat and match the sizes depicted on the Planting Schedule:
 - A. Provide flowers, ground cover, and shrubs that are missing around the freestanding sign on the eastern side of the northern entrance.
 - B. Remove the willow oak located along the northern boundary and replace with two redbud trees to avoid overhead electrical lines.
 - C. Remove the redbuds in poor condition along the northern boundary and replace with five redbuds.
 - D. Remove the redbud in poor condition along the northeastern edge of the parking lot and replace with seven yew.
 - E. Replace the dogwood in poor condition along the southern boundary and replaced with four kousa dogwoods, two arborvitae, and one European hornbeam.
 - F. Remove the two existing red maples in poor condition along the western boundary and replace with one redbud and three red maples.
10. Exterior storage and display of goods is limited to 50 square feet, per the Zoning Ordinance definition of a service station use, and shall not be located so as to block any required entrance, sidewalk or accessible path.
11. All exterior lighting, including signage, canopy lighting, security, pedestrian and/or other incidental lighting, shall be in conformance with Part 9 of Article 14 of the Zoning Ordinance.
12. The applicant shall install one bicycle parking space located in front of the building within close proximity to the building entrance and provide one long-term bicycle parking space in a secure location inside the building for employees, prior to issuance of a Non RUP.
13. The service station/quick-service food store may operate seven days a week, 24 hours per day.

This approval, contingent on the above noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicant shall be himself responsible for obtaining the required

Non-Residential Use Permit through established procedures, and this Special Exception shall not be valid until this has been accomplished.

Pursuant to Section 9-015 of the Zoning Ordinance, this special exception shall automatically expire, without notice, thirty (30) months after the date of approval unless, at a minimum, the use has been established or construction has commenced and been diligently prosecuted as evidenced by the issuance of a Non-Residential Use Permit for the use. The Board of Supervisors may grant additional time to establish the use or to commence construction if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special exception. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.